



STATE OF UTAH CONTRACT

Amendment # Two to Contract # 04-9050

TO BE ATTACHED TO AND MADE A PART OF the above numbered contract by and between the State of Utah

Department of Transportation		Proc./Statewide		referred to as STATE and	
Agency		Division			
Mobile Spray Systems	86553H	Keith Taylor			
Company Name	Vendor Number	Contact Person			
P O Box 617	Emery UT 84522	(800)	585-7959		
Address	City	State	ZIP Code	Phone #	

referred to as CONTRACTOR

THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

- The **contract period** is amended
- from: N/C (Original starting date)
- to: N/C (New ending date)
- The **dollar amount** of change to the contract for this amendment is: \$ N/C
- The **total contract amount** is now changed:
- from: \$ N/C (current contract amount)
- to: \$ N/C (current contract amount +/- amendment amount)
- Other changes** to the contract include:

The contract now reads:

The contract is amended to read:

The price of the anti-icing chemical storage tanks will no be @ \$2825.00.

5. **Effective Date of Amendment:** 09/16/04

All other conditions and terms in the original contract remain the same.

N WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

STATE OF UTAH

Keith Taylor 9/30/04
Contractor's Signature Date

KEITH TAYLOR
Contractor's Name

MANAGER
Title

Debra Boulton 965-4070
Agency Contact Person Phone #

David K. Miles SEP 28 2004
David K. Miles, Operations Engineer Date
DPH OCT 21 2004
Director, Division of Purchasing Date
PROCESSED BY
DIVISION OF FINANCE
Director, Division of Finance OCT 22 2004
Date

JUL 20 2005

From: "Keith Taylor Mobile Spray Systems" <kt@mobilespraysystems.com>
To: "Debra Boulton" <dboulton@utah.gov>
Date: 9/13/2004 10:01:39 AM
Subject: RE: Contract# 049050

Debra,

I did miss mentioning a price jump this spring, from January to June prices went from \$1,731.40 to \$1,909.00.

Attached is the July notice of the price increase (to \$2,099.00) and the forecast of the September increase (to \$2,205.00.)

I have also included of the freight costs (\$790 or \$197.50/tank) to deliver the next 4 tanks (1 to Scipio, 1 to Spanish Fork, 2 to Duschene)

As the pricing shows, I will only profit \$53.50/tank and will actually lose \$52.50/tank after the Sept price increase.

Will you also need me to mail you a hard copy of this? Let me know if you require further information.

Thanks,
Keith Taylor

Mobile Spray Systems
(800) 585-7959
mss@etv.net

-----Original Message-----

From: Debra Boulton [mailto:dboulton@utah.gov]
Sent: Thursday, September 09, 2004 8:34 AM
To: kt@mobilespraysystems.com
Cc: Rosemary Frenchwood; Tracie Montano
Subject: Re: Contract# 049050

Keith,

Could you please send some documentation from Barr Plastics as to why such a huge increase from June to September?

>>> "Keith Taylor Mobile Spray Systems" <kt@mobilespraysystems.com>
9/3/2004 9:39:59 AM >>>

Dear Debra,

As per our phone conversation here is the price increase verification that we discussed. I will also mail a hard copy. Tank prices are dependent upon oil and natural gas pricing.

When I submitted the bid, I bought tanks at \$ 1,731.40/tank FOB Tooele.

I now buy tanks at \$2,099.00/tank FOB Tooele. Tank prices are to increase again 9/20/04 to \$2,205.00/tank FOB Tooele.

Further, I have changed the vendor that I buy these tanks from in order to get the lowest possible price.

I respectfully request that the contract price be increased to \$2,825.00/tank to offset the increase in tank pricing.

Sincerely,

Keith Taylor

Mobile Spray Systems
mss@etv.net
(800) 585-7959

PO Box 617
Emery, UT 84522

Lezah's Transport, Inc.
PO Box 461118
Leeds, UT 84746
email valbohs@starband.net

Lezah Naase
Work (435) 879-0270
Fax (435) 879-0268
Cell (435) 705-0281

Date & Quote #: 9/2/04 8:25 AM

RATE GOOD FOR 30 DAYS / FUEL FOR 7 DAYS

Customer/Payor: MOBILE SPRAY SYSTEMS

Contact: KEITH

Phone: 435-286-2424 FAX 435-286-2229

Origin: TOOEELE, UT

Commodity: 4-5000 WTR TANKS

Dest: SCIPPIO, UT

Miles:

Stop-Off: SPANISH / DUCHESNE

Weight: 3500 TOTAL

Length: 12.5 L PER

Equipment Type: 48 FLAT

Width: 8.6

OD Charges: NA

Height: 8.6

Permits: NA

Residential?: Yes No

Escorts: ** SEE NOTATION BELOW **
NO ESCORTS AS OF 9/2/04 8:25 AM

Please note this rate is according to todays
rate. Truck availability & load availability.
When move is closer – let's requote to see
if we can save you & your customer some
\$\$\$

Fuel Charge: \$ 40.00 GOOD FOR 7
DAYS. PLEASE ADD TO RATE.

RATE: \$750.00 PER
FUEL COST IS NOT IN RATE.

Please sign upon acceptance of this quote: _____

Rates and prices herein are based on dimensions and weights given and stated herein and if either changes, this quote is subject to increase. On overdimensional loads, if any additional routing from the states due to road construction or inclement weather, these required escorts will be additional to the cost. Any cost that are out of our control. Thank you for your understanding. This is also for your customers understanding.

All payments are due within 30 days of the invoice date. The greater of 21% per annum or the highest interest rate permitted by law will be charged on all amounts that remain unpaid after 30 days. If a dispute arises relating in any way between you and Lezah's Transport, Inc. the prevailing party, upon each separate cause of action, shall be entitled to receive reasonable attorney's fees and costs from the non-prevailing whether or not a legal action is actually commenced or a final judgement entered. It is agreed that the State of Utah shall have exclusive jurisdiction and venue over any legal action between you and Lezah's Transport, Inc. unless the parties otherwise agree in writing. Customer hereby submits to personal jurisdiction within the State of Utah.

SCHABEN INDUSTRIES

Newton, KS Backersfield, CA Columbus, NE
 Phone: 800-394-7662 877-724-2236 800-274-1025
 Fax: 316-283-4646 661-391-9085 402-564-0549

R
 PO Box 30134
 Omaha, NE 68103-1234

CUSTOMER COPY
INVOICE

NO. 357598

CUSTOMER ORDER NO.	ORDER DATE	CODE	B.O.	TERMS
1493 KEITH TAYLO	12/12/2003			RECEIVED PAYMENT

DATE 1/21/2004
 ACCT. # 9253
 PICK # 526708

S
 O L GREEN PRO WEST
 D 450 S 300 EAST
 T PD BOX 617
 O EMERY, UT 84522

S
 H
 I
 P
 T
 O

DATE SHIP	SHIP VIA	FACTORY DIRECT	BILL OF LADING	RL	PAGE #
1/21/2004					1

B.O.	ORDERED	SHIPPED	DESCRIPTION	UNIT PRICE	NET PRICE	EXTENSION
	4	4	5000V5YR 40166 5000 5YR VERTICAL TANK		1731.400	6925.60

WE HAVE A NEW REMITTANCE ADDRESS. PLEASE SEND PAYMENTS TO:
 SCHABEN INDUSTRIES PO BOX 30134 OMAHA, NE 68103-1234

SEE REVERSE SIDE FOR SERVICE CHARGE INFORMATION

SUB-TOTAL	DISCOUNTED AMOUNT	SALES TAX	FREIGHT
6,925.60	6,925.60	.00	.00

TOTAL

6,925.60



Plastics Inc.

31192 South Fraser Way
Abbotsford, BC V2T 6L5

PH: (604) 852-8522 TOLL FREE: (800) 665-4499 FAX: (604) 852-8022

INVOICE

Invoice No.: 12066

Date:

Page: 1

Re. Order No.: 3508

Sold To: Mobile Spray Systems (US)
Kieth Taylor
450 S. 300 E.
P.O. Box 617
Emery, UT 84522
PH: (800) 585-7959

FAX: (435) 286-2229

Ship To: Mobile Spray Systems (US)
Kieth Taylor
450 S. 300 E.
P.O. Box 617
Emery, UT 84522
Customer PO#: #

Business No.: 864884135

Item No.	Quantity	Unit	Description	Tax	Unit Price	Amount
40166	2	Each	5000 Tank HD 1.9 S.G. W/3-2" Ftg PO ## 1737		1,909.00	3,818.00
			Subtotal:			3,818.00
			- No Tax			
SHIP BY: Customer Pick-up						Freight 0.00
Comments						Total Amount in USD 3,818.00
Thank-you for your order, payment due on delivery.						
No refunds after 30 days - Returns subject to 20% re-stocking charge.						



Plastics Inc.
31192 South Fraser Way
Abbotsford, BC V2T 6L5

Ph:(604) 852-8522 Toll Free: (800) 665-4499 Fax:(604) 852-8022

QUOTE

Quote No.: 4069
Date: 03-Sep-2004

Sold To:

Mobile Spray Systems (US)
Keith Taylor
450 S. 300 E.
P.O. Box 617
Emery, UT 84522
Ph:(800) 585-7959 Fax:(435) 286-2229

Ship To:

Mobile Spray Systems (US)
Keith Taylor
450 S. 300 E.
P.O. Box 617
Emery, UT 84522
USA

Business No.: 864884135

BARR PLASTICS CONTACT: Garry Dyck

Item No.	Quantity	Unit	Description	Tax	Unit Price	Amount
40166	4	Each	5000 Tank HD 1.9 S.G. W/3-2" Ftg ** THIS PRICE IS FOR TANKS ORDERED AFTER 9/20/04		2,205.00	8,820.00
			- No Tax			
					SUBTOTAL:	8,820.00
SHIP BY: Customer Pick-up Terms: Above Prices are FOB our shop, taxes extra unless specified. 50% Deposit w/ order, 50% balance due on delivery. 2% interest charged on over-due accounts. This quote is valid for 30 days. All goods remain the property of BARR Plastics until full payment is received. All orders must be confirmed by deposit or written PO. PURCHASER: I have reviewed and accepted the above sales order and have checked it for accuracy.				Freight		0.00
Print Name: _____ Signed: _____ Date: _____				Total Amount in USD		8,820.00

Keith Taylor Mobile Spray Systems

From: Keith Taylor Mobile Spray Systems [kt@mobilespraysystems.com]
Sent: Friday, September 03, 2004 9:40 AM
To: dboulton@utah.gov
Subject: Contract# 049050

Dear Debra,

As per our phone conversation here is the price increase verification that we discussed. I will also mail a hard copy. Tank prices are dependent upon oil and natural gas pricing.

When I submitted the bid, I bought tanks at \$ 1,731.40/tank FOB Tooele.

I now buy tanks at \$2,099.00/tank FOB Tooele. Tank prices are to increase again 9/20/04 to \$2,205.00/tank FOB Tooele.

Further, I have changed the vendor that I buy these tanks from in order to get the lowest possible price.

I respectfully request that the contract price be increased to \$2,825.00/tank to offset the increase in tank pricing.

Sincerely,


Keith Taylor

Mobile Spray Systems
mss@etv.net
(800) 585-7959

PO Box 617
Emery, UT 84522

09/03/04



e-barr.com

BARR Plastics Inc.

September 14, 2004

Mobile Spray Systems
Keith Taylor

Hello Keith,

In response to your enquiry regarding the price increases for poly tanks.

Due to the rapid rise in oil & natural gas prices throughout this year. Norwesco and all other poly tank manufacturers have been forced to raise their prices.

Norwesco normally waits as long as they can before raising prices and we also held back on increases on our end due to the improvement in the Canadian dollar.

There was a price increase from Norwesco in March, August and another one coming in Sept. 20 We have received increases from all other suppliers we deal with as well.

With this kind of volatility in the commodities market we don't see how any customer should expect prices not to change. One thing that will happen is that if prices of oil and gas go down tank prices will also drop. This normally happens in the spring.

This is the best way I can explain the increases to you. It is unfortunate that the poly tank industry is at the mercy of market pricing.

Please contact me if you have any further questions.

Best regards,

Dean Barrett
Manager – BARR Plastics Inc.

BARR Plastics Inc.
31192 South Fraser Way, Abbotsford, BC V2T 6L5
Toll Free: 1-800-665- 4499 Phone: (604) 852- 8522 Fax: (604) 852- 8022



STATE OF UTAH CONTRACT

Amendment # One to Contract # 04-9050

TO BE ATTACHED TO AND MADE A PART OF the above numbered contract by and between the State of Utah

Department of Transportation		Proc./All Regions		referred to as STATE and	
Agency		Division			
Mobile Spray Systems	86553H	Keith Taylor			
Company Name	Vendor Number	Contact Person			
P O Box 617	Emery UT 84522	(800) 585-7959			
Address	City	State	ZIP Code	Phone #	

referred to as CONTRACTOR

THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

- The **contract period** is amended
 - from: N/A (Original starting date)
 - to: N/A (New ending date)
- The **dollar amount** of change to the contract for this amendment is: \$ N/C
- The **total contract amount** is now changed:
 - from: \$ N/C (current contract amount)
 - to: \$ N/C (current contract amount +/- amendment amount)
- Other changes** to the contract include:

The contract now reads:

The contract is amended to read:

Change of vendor number. Payments to go to Affiliated Funding Corp. P O Box 7115377, Salt Lake City, Utah 84171-1537

5. **Effective Date of Amendment:** 01/22/04

All other conditions and terms in the original contract remain the same.

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

[Signature] 1/29/04
Contractor's Signature Date

O Keith Taylor
Contractor's Name

MANAGER
Title

STATE OF UTAH

[Signature] JAN 27 2004
David K. Miles, Operations Engineer Date

[Signature] JUN 14 2004
Director, Division of Purchasing Date

**CONTRACT RECEIVED AND
PROCESSED BY
DIVISION OF FINANCE** JUN 18 2004
Director, Division of Finance Date

Debra Boulton 965-4070
Purchasing Agent Phone #

JUL 20 2005

11,553H

AFC *Affiliated Funding Corporation*

P. O. Box 711537 • Salt Lake City, Utah 84171-1537 • (801) 733-7565 • (800) 809-6683 • FAX (801) 733-7594

NOTICE OF ASSIGNMENT and **AUTHORIZATION FOR DIRECT PAYMENT**

Tuesday, January 13, 2004

Utah Department of Transportation
ATTN: Accounts Payable C/o Lynn Bernhard
Box 148250
Salt Lake City, UT 84114-8250

To Whom It May Concern:

Re: Green Pro West, dba Mobile Spray Systems, Client
Owners: David J Taylor, Russell D. Taylor, Keith Taylor

We are pleased to advise that, in order to enable Green Pro West, Incorporated, dba Mobile Spray Systems to better service its customers, the Client has assigned its present and future accounts to Affiliated Funding Corporation.

To the extent that you are now indebted or may in the future become indebted to the Client on an account or a general intangible, payment thereof is to be made payable to us and not to the Client or any other entity. Payment in any other way will not discharge this obligation.

The payments should be mailed to us at the following address:

Affiliated Funding Corporation
For the benefit of Mobile Spray Systems
PO Box 711537
Salt Lake City, Utah 84171-1537

ORIGINAL

This letter may only be revoked in writing, signed by one of our officers, and acknowledged before a notary public.

To assist us in applying payments please fax a copy of this letter to us indicating your Federal Tax I.D. Number in this space: E 33399

We thank you in advance for your cooperation and professional courtesy.

Very Truly Yours,

Ronald N. Hyatt
Affiliated Funding Corporation

Signed: **Green Pro West, Incorporated, dba Mobile Spray Systems**

By: D. Keith Taylor

Name: D. Keith Taylor

Title: VP/ROE



STATE OF UTAH CONTRACT

CONTRACTING PARTIES: This contract is between the following Agency of the State of Utah:

Dept. of Transportation	810	Proc./All Regions	referred to as STATE and the following:
Agency Name	Agency Code	Division	
CONTRACTOR	Mobile Spray Systems		
Name			
P O Box 617			
Address			
Emery	UT	84522	
City	State	Zip Code	
Keith Taylor	(800)	585-7959	
Contact Person	Phone Number		
870615700	97144A-B	83044000000	
Federal ID#	Vendor Number	Commodity Code(s)	

LEGAL STATUS OF CONTRACTOR

☐ Sole Proprietor
☐ Non-Profit Corporation
☒ For-Profit Corporation
☐ Partnership
☐ Government Agency

CONTRACT TYPE AND PURPOSE:

This is a requirements contract to provide the State with liquid anti-icing chemical storage tanks @\$2350.00 per unit.

CUREMENT: This contract is entered into as a result of the Procurement process on bid RF4042,
Revision # 810 46000000033, FY 2004.

TRACT PERIOD: Effective date 11/22/03. Termination date 11/21/06, unless terminated early or
ended in accordance with the terms of this contract. Renewal Options (if any) None.

TRACT COSTS: CONTRACTOR will be paid a maximum of \$999,999,999.99 for costs authorized by this contract

ACHMENT A: Division of Purchasing's Standard Terms and Conditions.

ACHMENT B: Scope of Work.

ACHMENT C: Special Terms and Conditions.

Conflicts between Attachment A and other Attachments will be resolved in favor of Attachment A.

INSTRUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:

All other governmental laws, regulations or actions applicable to the goods and/or services authorized by this Contract.

Utah State Procurement Code, Procurement Rules and Contractor's responses to Bid # RF4042 dated 09/22/03.

WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR
SEE ATTACHED

Contractor's Signature
KEITH LITTLEFIELD

Contractor's Name
GENERAL MANAGER

Title

STATE OF UTAH

David K. Miles, Operations Engineer

OCT 14 2003

Director, Division of Purchasing
CONTRACT RECEIVED AND
PROCESSED BY
DIVISION OF FINANCE
Director, Division of Finance

Debra Boulton

(801) 965-4070

(801) 965-4073

dboulton@utah.gov

Agency Contact Person

Fax Number

Fax Number

Email Address